

# Senate Study Bill 1108 - Introduced

SENATE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE  
ON JUDICIARY BILL BY  
CHAIRPERSON SODDERS)

## A BILL FOR

1 An Act relating to the manufacturing, delivery, or possession  
2 with the intent to manufacture or deliver marijuana,  
3 including its counterfeit or simulated forms.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 124.401, subsection 1, paragraph d, Code  
2 2015, is amended to read as follows:

3 d. Violation of this subsection, with respect to any other  
4 controlled substances, counterfeit substances, or simulated  
5 controlled substances classified in section 124.204, subsection  
6 4, paragraph "ai", or section 124.204, subsection 6, paragraph  
7 "i", or classified in schedule IV or V is an aggravated  
8 misdemeanor. However, violation of this subsection involving  
9 fifty kilograms or less at least forty-two and one-half grams  
10 but not more than fifty kilograms of marijuana or involving  
11 flunitrazepam is a class "D" felony. A violation of this  
12 subsection involving less than forty-two and one-half grams of  
13 marijuana is an aggravated misdemeanor.

14 EXPLANATION

15 The inclusion of this explanation does not constitute agreement with  
16 the explanation's substance by the members of the general assembly.

17 This bill relates to the manufacturing, delivery, or  
18 possession with the intent to manufacture or deliver marijuana,  
19 including its counterfeit or simulated forms.

20 Under the bill, a person who manufactures, delivers, or  
21 possesses with the intent to manufacture or deliver, marijuana,  
22 including its counterfeit or simulated forms, or acts with,  
23 enters into a common scheme or design with, or conspires with  
24 one or more persons to manufacture, deliver, or possess with  
25 the intent to manufacture or deliver marijuana, commits an  
26 aggravated misdemeanor if the amount of marijuana is less than  
27 42.5 grams. Current law classifies such actions involving 50  
28 kilograms or less of marijuana as a class "D" felony. Such  
29 actions involving at least 42.5 grams but not more than 50  
30 kilograms of marijuana remain a class "D" felony under the  
31 bill.

32 An aggravated misdemeanor is punishable by confinement for  
33 no more than two years and a fine of at least \$625 but not more  
34 than \$6,250. A class "D" felony is punishable by confinement  
35 for no more than five years and a fine of at least \$750 but not

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1 more than \$7,500.